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UNITED STATES COURT OF APPEALS

FOR THE THIRD CIRCUIT
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March 7, 2006

Robert V. Barth, Jr., Clerk
United States District Court
P.O. Box 1820
Erie, PA 16507-0820

Re: Felgar v. PA Board of Probation
W.D. Pa. No. 04-cv-196-SJM-SPB

Dear Mr. Barth:

Pursuant to Rule 4(d), Federal Rules of Appellate Procedure, and Rule 3.4, Third Circuit Local Appellate Rules, we are forwarding the attached petition for permission to appeal to be construed as a notice of appeal which was filed with this office in error. See Rule 3(a)(1), Federal Rules of Appellate Procedure and Rule 3.4, Third Circuit Local Appellate Rules. The notice was dated March 3, 2006 and should be docketed as of that date.

This document is being forwarded solely to protect the litigant's right to appeal as required by the Federal Rules of Appellate Procedure and Rule 3.4, Third Circuit Local Appellate Rules. Upon receipt of the document, kindly process it according to your Court's normal procedures. If your office has already received the same document, please disregard the enclosed copy to prevent duplication.

Pursuant to Rule 3(a)(1), Federal Rules of Appellate Procedure, a notice of appeal must be filed with the Clerk of the District Court. This Court may not act on an appeal until the notice has been docketed in the District Court and certified to this Court by the District Court Clerk.

Thank you for your assistance in this matter.

Very truly yours,

Marcia M. Waldron, Clerk

By: /s/ Bradford A. Baldus
Bradford A. Baldus
Senior Legal Advisor to the Clerk

Enclosure

cc: John E. Felgar (w/out enclosure)